

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>BRIGGS BROTHERS ENTERPRISES</b>	)	
<b>CORPORATION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-22-1057-G</b>
	)	
<b>BRIFEN USA, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now before the Court is Plaintiff Briggs Brothers Enterprises Corporation’s (“Briggs”) Motion to Consolidate (Doc. No. 25), seeking to consolidate the actions *Brifen USA Inc. v. Briggs Brothers Enterprises Corporation*, CIV-22-200-G (W.D. Okla. 2022) and *Briggs Brothers Enterprises Corporation v. Brifen USA Inc.*, CIV-22-1057-G (W.D. Okla. 2022) pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. Rule 42(a) allows the district court to consolidate separate actions pending before the court that “involve a common question of law or fact.” Fed. R. Civ. P. 42(a). The Motion represents that the two actions identified above arise out of the same contractual dispute and that Defendant Brifen USA, Inc. (“Brifen”) joins in urging the consolidation of the actions.

As announced at the telephonic status and scheduling conference held on May 1, 2024, the Motion to Consolidate (Doc. No. 25) is GRANTED. The matters shall be consolidated and proceed as one action in the case styled *Brifen USA Inc. v. Briggs Brothers Enterprises Corporation*, CIV-22-200-G (W.D. Okla. 2022). Within 14 days of the date of this Order, Briggs shall file an amended answer in *Brifen USA Inc. v. Briggs*

*Brothers Enterprises Corporation*, CIV-22-200-G (W.D. Okla. 2022) redesignating the claims raised in its complaint in *Briggs Brothers Enterprises Corporation v. Brifen USA Inc.*, CIV-22-1057-G (W.D. Okla. 2022) as counterclaims. All future filings shall only be filed in *Brifen USA Inc. v. Briggs Brothers Enterprises Corporation*, CIV-22-200-G (W.D. Okla. 2022). *Briggs Brothers Enterprises Corporation v. Brifen USA Inc.*, CIV-22-1057-G (W.D. Okla. 2022) shall not be terminated, however, unless or until the parties stipulate to dismissal of the action or judgment is entered in *Brifen USA Inc. v. Briggs Brothers Enterprises Corporation*, CIV-22-200-G (W.D. Okla. 2022).

IT IS SO ORDERED this 3rd day of May, 2024.

  
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CHARLES B. GOODWIN  
United States District Judge